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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/378,131	12/06/1999	DILLIS V. ALLEN	G-31	8757

7590 04/02/2003

DILLIS V ALLEN  
ATTORNEY AT LAW  
1080 NERGE ROAD SUITE 205  
ELK GROVE VILLAGE, IL 60007

EXAMINER

PASSANITI, SEBASTIANO

ART UNIT	PAPER NUMBER
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3711

DATE MAILED: 04/02/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

### DETAILED ACTION

This Office action is responsive to communication received 10/15/2002 and styled, "RESPONSE TO OFFICE ACTION".

Receipt is acknowledged of applicant's Exhibit A - a copy of a letter styled, "MAINTENANCE FEE STATEMENT", indicating that the maintenance fees have been paid.

Receipt is acknowledged of applicant's Exhibit B - a copy of a PTO stamped postcard showing that a hand filed Assignee's Statement Under 37 CFR §3.73 was filed. **Applicant is respectfully requested to submit a legible copy of the §3.73 statement in response to this Office action.**

Receipt is acknowledged of applicant's Exhibit C - a copy of the abstract from the issued patent. **Applicant is respectfully requested to submit a legible copy of the first page of the specification following the abstract, i.e., page 1 of the specification, as requested in the last Office action, mailed 09/12/02.** Any inconvenience to the applicant caused by any lack of clarity in the last Office action regarding exactly what is missing from the application folder is sincerely regretted.

Receipt is acknowledged of applicant's Exhibits D-H - various papers relating to pending litigation.

Prior to an examination of this application on the merits of the claimed invention, and in addition to the those items highlighted herein above, which require applicant's attention, the following further items must be addressed by the applicant:

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The originally filed application papers received 08/20/1999 along with the preliminary amendment received 01/24/2000 propose amendments to claims 1-10 that do not comply with 37 CFR 1.173(b), which sets forth the manner of making amendments in reissue applications. A supplemental paper correctly amending the reissue application is required. Applicant is strongly encouraged to review MPEP Section 1453 titled, "AMENDMENTS TO REISSUE APPLICATIONS". **All changes in the reissue must be made relative to the patent to be reissued.**

Applicant is advised of the practice set forth in MPEP §1451, page 1400-54, and titled, "CONTINUATION REISSUE APPLICATION". An appropriate amendment to the continuing data entries must be made in both the instant continuation and the parent reissue application, so that the parent-continuation relationship of the reissue applications is specifically identified and notice is provided of both reissue applications. Here, the applicant is encouraged to review the manner of making amendments to the specification set forth in MPEP §1453.

While there is concurrent litigation related to this reissue application, action in this reissue application will NOT be stayed because of applicant's request that the application be examined at this time. Due to the related litigation status of this reissue application, EXTENSIONS OF TIME UNDER THE PROVISIONS OF 37 CFR 1.136(a) WILL NOT BE PERMITTED.

**A ONE-MONTH SHORTENED STATUTORY PERIOD FOR RESPONSE HAS BEEN SET IN WHICH TO RESPOND TO THE ABOVE-MENTIONED REMARKS AND**


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**REJECTIONS.** This one-month period may be extended only upon a showing of *clear justification* pursuant to 37 CFR 1.136(b).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sebastiano Passaniti whose telephone number is 703-308-1006. The examiner can normally be reached on Mon-Fri (6:30-3:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Sewell can be reached on 703-308-2126. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-3579 for regular communications and 703-308-7768 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0858.

  
Sebastiano Passaniti  
Primary Examiner  
Art Unit 3711

S.Passaniti/sp  
February 24, 2003